

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

|                            |   |                         |
|----------------------------|---|-------------------------|
| WILLIAM DOUGLAS MATLOCK,   | ) |                         |
|                            | ) |                         |
| Plaintiff,                 | ) |                         |
|                            | ) |                         |
| v.                         | ) | No. 3:13-CV-420-PLR-HBG |
|                            | ) |                         |
| OCWEN LOAN SERVICING, LLC, | ) |                         |
|                            | ) |                         |
| Defendant.                 | ) |                         |

**MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Defendant's Motion to Compel [Doc. 22]. Therein, the Defendant represents that interrogatories and requests for production were served upon counsel for the Plaintiff on December 3, 2013. Defendant concedes that Plaintiff's deadline for responding to this written discovery was extended twice by agreement. The last extension afforded Plaintiff up to and including February 6, 2014, in which to respond. Defendant represents that, despite follow-up correspondence from defense counsel, Plaintiff has failed to provide full and complete responses to written discovery served upon him on December 3, 2013.

The Defendant's Motion to Compel was filed on July 28, 2014. The Plaintiff has failed to respond in opposition to the Motion to Compel Discovery. The time for doing so has expired. See E.D. Tenn. L.R. 7.1; Fed. R. Civ. P. 5 & 6. "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D. Tenn. L.R. 7.2. The Court finds that the Plaintiff's failure to file a timely response in opposition to the relief sought by the Defendant may be treated as acquiescence to the relief sought.

In addition, the Court finds that the Defendant has demonstrated good cause for compelling the Plaintiff to fully respond to the written discovery that has been served upon her.

Accordingly, the Court finds that the Defendants' Motion to Compel [Doc. 22] is well-taken, and it is **GRANTED**. Plaintiff is **ORDERED** to serve counsel for the Defendant with full and complete responses to the interrogatories and requests for production served December 3, 2013, on or before **September 2, 2014**.

The Court finds that it is not appropriate to award fees or costs at this time, but the Plaintiff is hereby **ADMONISHED** that failure to comply with this Memorandum and Order or any other Order of the Court in the future is likely to result in the imposition of sanctions including an award of fees and/or a recommendation that these cases be dismissed, pursuant to Rule 37(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

ENTER:

  
United States Magistrate Judge